IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.3 OF 2005

The Commissioner of Income-Tax 8)..Appellant

Versus

M/s.Garware Polester Ltd.,)..Respondents

Mr.S.M.Shah with Mr.P.S.Sahadevan for appellant.

Mr.S.B.Shetty for respondents.

Coram : F.I.Rebello &
R.S.Mohite,JJ

Date : 5.12.2007.

PC

1. In so far as questions-(a) & (b) of the appeal is concerned, the Tribunal relied upon its earlier order in respect of the assessment year 1989-90 till 1995-96, the department has not preferred any appeal against the said orders.

2. In so far as question-(c) is concerned, the Tribunal also relied on its order in respect of assessement year 1989-90. That was the subject matter of Appeal (L) No.50 of 2002. As there was office objections, the Prothonotary & Senior Master, by order dated 5.3.2002 has directed to remove the objections within 2 weeks failing which, it would stand rejected under R-986. There was a Notice of

Motion taken out and the matter came up before this Court. This Court by order dated 2.1.2004 granted 8 weeks time to the revenue to remove the office objections, that has not been done and consequently, that appeal has been dismissed.

3. Considering the above, the questions of law as framed, does not arise and the appeal stands dismissed.

(R.S.Mohite,J) **(F.I.Rebello,J)**